

# Notice of Allowability

Application No.

09/756,140

Examiner

Michael A Marcheschi

Applicant(s)

UEDA ET AL.

Art Unit

1755

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 2/18/04.
2. ☒ The allowed claim(s) is/are 1, 5, 8, 9, 11 and 14-17.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 5/24/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Michael A Marcheschi  
Primary Examiner  
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An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on 5/24/04, Eugene Perez requested an extension of time for 2 MONTH(S) and authorized the Director to charge Deposit Account No. 02-2448 the required fee of \$420.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 1, line 1, cancel "An abrasive" and insert --A polishing composition--.

Cancel claim 4.

Claim 5, line 1, cancel "abrasive for metal" and insert --polishing composition--.

Claim 5, lines 2-3 cancel "the particle having...ion exchange resin, and".

Cancel claims 6-7.

Claim 8, line 1, cancel "the" and insert --an--.

Claim 8, lines 2-3, cancel "according to claim 5, wherein...ion exchange resin" and insert --comprising a polymer particle having a functional group that traps a metal ion, wherein the functional group that traps a metal ion is iminodiacetic acid, wherein the process comprises wet-milling the polymer having a functional group that traps a metal ion--.

Claim 9, line 1, cancel "the" and insert --an--.

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Claim 9, lines 2-3, cancel "according to claim 5, wherein...ion exchange resin" and insert --comprising a polymer particle having a functional group that traps a metal ion, wherein the functional group that traps a metal ion is iminodiacetic acid, wherein the process comprises dry-milling and then wet-milling the polymer having a functional group that traps a metal ion--.

Cancel claim 10.

Claim 11, line 1, cancel "abrasive" and insert --polishing composition--.

Cancel claims 12-13.

Claim 14, line 2, cancel "claim 12" and insert --claim 1--.

Claim 15, line 2, cancel "claim 12" and insert --claim 1--.

Claim 16, line 3, cancel "claim 12" and insert --claim 1--.

Cancel claims 18-19.

The claims have been amended to more clearly define the current invention, as well as, provide antecedent basis for the claimed subject matter.

The following is an examiner's statement of reasons for allowance:

The claimed invention is novel over the prior art of record because the references **fail** to teach or suggest a polishing composition for metal and use thereof, wherein the polishing composition comprises the claimed specific components. The prior art of record also **fails** to teach or suggest the claimed method of making an abrasive which comprises the claimed limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

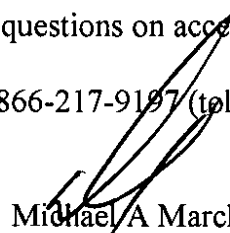
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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A Marcheschi whose telephone number is (571) 272-1374. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark L Bell can be reached on (571) 272-1362. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael A Marcheschi  
Primary Examiner  
Art Unit 1755

MM  
5/24/04